

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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April Smoker,

Plaintiff,

19 **CIVIL** 1539 (AT) (JLC)

-against-

JUDGMENT

Commissioner of Social Security,

Defendant.

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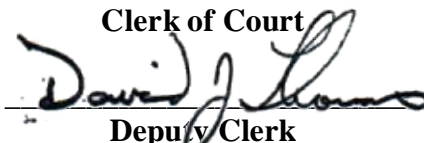
It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons set forth in the Court's Order dated May 26, 2020, having received no objections to the Report and Recommendation (the "R&R"), ECF No. 23, of the Honorable James L. Cott, the Court reviewed the R&R for clear error, and found none. The Court, therefore, ADOPTS the R&R in its entirety. Accordingly, Plaintiff's motion for judgment on the pleadings is GRANTED, the Commissioner's cross-motion is DENIED, and the case is REMANDED to the Administrative Law Judge ("ALJ") pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the ALJ should:

1. Specify, upon further development of the record, what weight he assigns to treating psychiatrist Galina Bass, M.D.'s opinions and provide a comprehensive analysis for the reasons he has assigned this particular weight, if deemed less-than-controlling;
 2. Revisit the vocational expert's testimony, as necessary, in light of all relevant medical and other evidence made part of the record on remand;
 3. Further develop the record by soliciting treatment records from David Goldberg, L.M.S.W., in order to fully assess Plaintiff's mental functional limitations;
 4. Reevaluate Plaintiff's credibility in light of all the relevant medical and other evidence;
- and

5. Clarify Plaintiff's alleged onset date; accordingly, the case is closed.

Dated: New York, New York
May 26, 2020

RUBY J. KRAJICK

BY: 
Clerk of Court
Deputy Clerk